



City of Seattle

Department of Planning & Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3012652

Applicant Name: Stevan Johnson, Johnson Architects for Madrona Real Estate

Address of Proposal: 1515 14th Ave

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story, 100 unit residential building with 6,200 sq. ft. of retail at ground level and 3,500 sq. ft. of office on 2nd floor. Parking for 98 vehicles will be located at and below grade. The existing retail and residential structures to be demolished. The Porchlight building will retain its façade.

The following approvals are required:

Design Review – Seattle Municipal Code (SMC) 23.41

SEPA Environmental Determination – SMC 25.05

SEPA Determination: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☒ DNS with conditions
 ☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND INFORMATION:

The 20,475 square foot development site is located near the mid-block on the western frontage of 14th Ave, northwest of the intersection of E Pike St and 14th Ave. Included within the development site is three single story commercial structures with surface parking. Two of these buildings are over 75 years old and qualify as “Character Structures” per the Pike Pine Conservation Overlay District. The 1515 14th Avenue Building (the Porch Light Building) was built in 1925 and recently renovated. Most of the street facing façade is glazed (large display windows below smaller



clerestories. This structure is proposed to be preserved and integrated into the design of the proposed building. The second building, 1525 14th Avenue was built in 1933 and is proposed to be demolished.

Parking for the proposed new development will be located below grade within the structure and will be accessed from 14th Ave. Pedestrian access will be from 14th Ave.

The site is zoned Neighborhood Commercial 3, Pedestrian Street, 65' height (NC3P-65), Pike Pine Urban Center Village, Pike Pine Conservation Overlay District. North of the proposal is zoned NC3P-40 and the sites east and south are NC3P-65.

Surrounding Development: Variety of styles on 14th Avenue between Pike and Pine Streets. The west side is bookended by two century old brick structures with surface parking and several building type in between. The east side is predominantly occupied by a church complex (Seattle Landmark) and surface parking.

ECAs: None

Neighborhood Character: The Pike Pine corridor is historically known as auto row and is characterized by turn-of-the-century loft building with tall fully glazed street level storefront, masonry and timber construction.

Public Comments

Public comments were invited at the two Design Review public meetings and the Master Use Permit application. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below. Comments were primarily concerned with the massing of the structure and the exterior materials proposed.

ANALYSIS – DESIGN REVIEW

Architect's Presentation: (October 19, 2011 and April 18, 2012)

Three alternative design schemes were presented. All of the options include access from the street (14th Avenue).

The first scheme (Option A) showed demolition of all of the existing buildings. The building mass was shifted towards the street edge and the terrace area is on the west side, at the second level. Garage entry was located at the south end of the site.

The second scheme (Option B) showed includes preservation of one of the character structures. The building above the character structure was set back 15 feet. The building mass above the ground level was barbell shaped and symmetrical with the residential entrance located at the center. The garage entry was on the north end of the site.

The third scheme (Option C) and preferred alternative also included preservation of one of the character structures. The building mass above the character structure was set back 15 feet, notches

inwards and then extends to the front property line, flush with the retail base. The western elevation was jagged and stepped creating an irregular form. The garage entrance was located on the north end.

Staff Note: Preservation of one of the two character structures will allow an added ten feet in building height for the entire structure.

Public Comments (at the Early Design Guidance)

Approximately 15 members of the public attended this Early Design Review meeting and one comment letter was received. The following comments, issues and concerns were raised:

- Concerned with the proposed height, density and traffic.
- Felt that the Porch Light building should be preserved and the new façade could be juxtaposed with the old façade. Suggested that courtyard be located in the center of the building to break up the massing as the proposed massing is enormous compared to the existing buildings.
- Clarified property lines, building depth and west elevation.
- Preferred the third scheme and the preservation of the Porch Light Building. Supported brick base in keeping with the Capitol Hill context. Added retail is a good addition to the neighborhood. Setting back the building is preferred so that the pedestrian does not feel overwhelmed by the mass.
- Preferred the setback and access to air allowed with the third scheme that created more of a human element with the open spaces.
- Opposed the proposed building height – six stories is too large; four would be more appropriate.

Architect's Presentation: (April 18, 2012)

The design presented at the final recommendation meeting was a further developed version of the work shown at the Early Design Guidance meeting that received a positive response from the Board. All facades and the roof planes have been further developed including materials and colors. Major massing moves are reinforced with color/material changes to unify the façades.

Terrace landscape plantings are intended to reinforce the building's architectural articulation with cluster planting and bright colors. At upper levels the amenity decks were presented with an emphasis on the enhanced area of green roof and surface changes as way finding elements.

Public Comments (at the recommendation meeting)

Approximately 7 members of the public attended this Recommendation meeting. The following comments, issues and concerns were raised:

- Concerned with maintenance of the lower 'blank wall' on the south façade.
- Felt that the trees on the 2nd floor terrace would create a maintenance problem for the southern property.
- Pleased with the retention of the façade for the Porch Light building and the new façade could be juxtaposed with the old façade. Appreciated that courtyard was located in the center of the building to break up the massing as the proposed massing is enormous compared to the existing buildings.
- Satisfied with the proposed scheme and the façade/floor plan preservation of the Porch Light Building. Supported brick base in keeping with the Capitol Hill context. Added retail is a good

addition to the neighborhood. Setting back the building is preferred so that the pedestrian does not feel overwhelmed by the mass.

- Preferred the setback and access to air allowed with the proposed design that created more of a human element with the open spaces.

DESIGN GUIDELINE PRIORITIES

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

Site Planning

- A-1 Responding to Site Characteristics.** *The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.*

At the Early Design Guidance Meeting, the Board strongly encouraged preservation of the existing character structure. The Board supported the setting back of the building mass above the character structure. In order to emphasize the presence of the character structure, the Board also recommended setting back the new building mass at the ground level, abutting the character structure to give a more distinct expression of this historic building.

At the Final Recommendation Meeting, the Board was encouraged by façade/floor plans that preserve the appearance of the existing character structure. The Board supported the setting back of the building mass above the character structure. The new building mass at the ground level, abutting the character structure, has been separated by the residential entry for the building and the new façade presents a distinct yet complimentary structural presentation.

- A-2 Streetscape Compatibility.** *The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

Capitol Hill-specific supplemental guidance:

- *Retain or increase the width of sidewalks.*
- *Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, winter light and year-round visual interest.*
- *Vehicle entrances to buildings should not dominate the streetscape.*
- *Orient townhouse structures to provide pedestrian entrances to the sidewalk.*
- *For buildings that span a block and “front” on two streets, each street frontage should receive individual and detailed site planning and architectural design treatments to complement the established streetscape character.*

- *New development in commercial zones should be sensitive to neighboring residential zones. Examples include lots on Broadway that extend to streets with residential character, such as Nagle Place or 10th or Harvard Avenues East. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.*

At the Early Design Guidance Meeting, the Board emphasized the importance of this guideline and look forward to reviewing greater details at the next meeting. The Board noted that the retail height of the new structure should be 20 feet to respond to the scale of the character structure.

At the Final Recommendation Meeting, the Board was please with the applicant's response to their guidance. The Board noted that the retail height of the new structure is in scale with the character structure.

A-3 Entrances Visible from the Street. *Entries should be clearly identifiable and visible from the street.*

At the Early Design Guidance Meeting, the Board strongly suggested locating the residential entrance at the base of the building notch created by the joining of the existing character structure with the new building mass. The Board also strongly recommended carrying the notch to the ground plane to emphasize the Porch Light building. See also A-1.

At the Final Recommendation Meeting, the Board recommendation on the residential entrance at the base of the building notch has been provided and creates the joining of the existing character structure with the new building mass. The recommended notch carried to the ground plan has been incorporated to emphasize the Porch Light building. See also A-1.

A-4 Human Activity. *New development should be sited and designed to encourage human activity on the street.*

Capitol Hill-specific supplemental guidance:

- *Provide for sidewalk retail opportunities and connections by allowing for the opening of the storefront to the street and displaying goods to the pedestrian.*
- *Provide for outdoor eating and drinking opportunities on the sidewalk by allowing for the opening the restaurant or café windows to the sidewalk and installing outdoor seating while maintaining pedestrian flow.*
- *Install clear glass windows along the sidewalk to provide visual access into the retail or dining activities that occur inside. Do not block views into the interior spaces with the backs of shelving units or with posters.*

See A-1 and A-2.

A-5 Respect for Adjacent Sites. *Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*

At the Early Design Guidance Meeting, the Board discussed the importance of sensitivity and privacy to the Chester Building to the north by locating fenestration and/or the light well off center from the fenestration and light well of the Chester Building.

At the Final Recommendation Meeting, the Board discussed the importance of sensitivity and privacy with respect to the adjacent properties. The location of the fenestration appears to minimize the disruption of privacy and outdoor activities of residents in the adjacent buildings.

A-7 **Residential Open Space.** *Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*

Capitol Hill-specific supplemental guidance:

- Incorporate quasi-public open space with new residential development or redevelopment, with special focus on corner landscape treatments and courtyard entries.
- Create substantial courtyard-style open space that is visually accessible to the public view.
- Set back development where appropriate to preserve a view corridor.
- Set back upper floors to provide solar access to the sidewalk and/or neighboring properties.
- Mature street trees have a high value to the neighborhood and departures from development standards that an arborist determines would impair the health of a mature tree are discouraged.
- Use landscape materials that are sustainable, requiring minimal irrigation or fertilizer.
- Use porous paving materials to minimize stormwater run-off.

At the Early Design Guidance Meeting, the Board stated that they look forward to reviewing the details of the second level terrace plans at the next meeting.

At the Final Recommendation Meeting, the Board stated that they were pleased the second level and upper level terrace plans.

A-8 **Parking and Vehicle Access.** *Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.*

Capitol Hill-specific supplemental guidance:

- *Preserve and enhance the pedestrian environment in residential and commercial areas by providing for continuous sidewalks that are unencumbered by parked vehicles and are minimally broken within a block by vehicular access.*

At the Early Design Guidance Meeting, the Board stated that the quality of the building should not be compromised by the provision of parking and locating the driveway access from the street. The presence of the driveway should be minimized and strive to enhance the streetscape, rather than create an intrusion.

At the Final Recommendation Meeting, the Board stated that the location of the parking driveway access from the street does not compromise the quality of the building. However, the garage entry door must match the finish colors of the storefront. The design for the sight-triangle needs to be resolved by DPD staff prior to the issuance of the building permit.

B. <i>Height, Bulk and Scale</i>

B-1 *Height, Bulk, and Scale Compatibility.* *Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.*

Capitol Hill-specific supplemental guidance:

- *Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.*
- *Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.*
- *Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.*

At the Early Design Guidance Meeting, the Board expressed concern about the building massing and how it relates to the preservation of the character structure. The proportion of the character structure appears diminutive compared the building mass proposed to envelope it; thus the new building should be modulated to shift away from and consequently highlight the character structure. The architectural cues of the character structure should also inform the design of the new building. The Board suggested setting back the massing above 40 feet to minimize the height, bulk and scale of the new structure and relate better to the scale of the preserved character structure. The other option would be to set back the building above 20 feet to distinguish the retail base and respond to the datum line established by the Porch Light structure.

At the Final Recommendation Meeting, the Board satisfied by the building massing and how it relates to the preservation of the character structure. The proportion of the character structure appears diminutive compared the building mass proposed to envelope it; thus the new building has been modulated to shift away from and consequently highlight the character structure. The architectural cues of the character structure have been informed in the design of the new building. The Board suggestions of setting back the upper massing, minimizes the height, bulk and scale of the new structure and results in a better scale relationship with the replicated character structure.

The residential balconies (structural building overhangs) are important elements to the architectural design of the street facing façade. If the applicant is not successful in securing a street use permit for their construction, a permit revision will be necessary.

C. Architectural Elements and Materials

C-1 Architectural Context. *New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

At the Early Design Guidance Meeting, the Board strongly supported preservation of the character structure. They specified that if the character structure is proposed to be demolished, then a Second EDG meeting is needed.

At the Final Recommendation Meeting, the Board strongly supported preservation of the façade of the character structure. The floor plan layout that currently is found in the character structure has been carried forward in the new portion of the structure.

C-2 Architectural Concept and Consistency. *Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.*

Capitol Hill-specific supplemental guidance:

- *Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.*
- *Solid canopies or fabric awnings over the sidewalk are preferred.*
- *Avoid using vinyl awnings that also serve as big, illuminated signs.*
- *Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.*

At the Early Design Guidance Meeting, the Board noted that the architectural concept for the upper floors along the south and west elevation include jagged, irregular massing that is out of sync with the architecture presented at the front (east) elevation. The Board agreed that all of the building elevations should relate to each other and avoid creating irregular forms that are not well integrated into the overall building concept. The building concept and architecture should be clearly established along the front façade and then inform side and rear elevations.

The Board suggested including the 20-foot retail height (with mezzanine) in the northern half of the building to respond to the same condition of the character structure. The Board would like to see more details of the character structure and the mezzanine typology. This examination should inform the design of the proposed building.

The Board recommended that the northern portion of the building relate to the 20-foot base either in plane or set back as a way of acknowledging the unique conditions associated with each half of the development.

The Board supported maintaining light and air to the building wherever possible. The light slot along the north side should be strengthened to emphasize the access to light and air.

At the Final Recommendation Meeting, the Board noted that the architectural concept for the upper floors along the south and west elevation is now in sync with the structures presentation. All of the buildings elevations relate to each other and create regulate forms that result in a well-integrated building concept.

The Board suggested that the retail height (with mezzanine) in the northern half of the building responds to the same condition found in the character structure.

The Board recommendation that the northern portion of the building relate to the base either in plane acknowledges the unique conditions associated with each half of the development.

The structure maintains light and air to the building wherever possible.

C-3 ***Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.*

Capitol Hill-specific supplemental guidance:

- *Incorporate building entry treatments that are arched or framed in a manner that welcomes people and protects them from the elements and emphasizes the building's architecture.*
- *Improve and support pedestrian-orientation by using components such as: non-reflective storefront windows and transoms; pedestrian-scaled awnings; architectural detailing on the first floor; and detailing at the roof line.*

See discussion of the retail base and character structure under A-1, A-2 and A-3.

C-4 ***Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

Capitol Hill-specific supplemental guidance:

- *Use wood shingles or board and batten siding on residential structures.*
- *Avoid wood or metal siding materials on commercial structures.*
- *Provide operable windows, especially on storefronts.*
- *Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.*
- *Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.*

- *The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.*

At the Early Design Guidance Meeting, the Board discussed that the materials should be very high quality and that brick is highly desired. Stucco would not be considered an appropriate material. Use of brick, particularly at the base for a strong street presence is recommended.

At the Final Recommendation Meeting, the Board discussed that the materials appear to be of a very high quality and that brick has been incorporated at the base for a strong street presence as recommended.

- C-5** ***Structured Parking Entrances.** The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.*

See also A-8.

D. Pedestrian Environment

- D-2** ***Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.*

At the Early Design Guidance Meeting, the Board stressed that the blank wall condition of the north elevation needs design treatment and/or articulation to provide visual relief of the blank facade. The design of the elevation should respect and respond to the Chester Building. The Board suggested expanding the light well configuration.

At the Final Recommendation Meeting, the Board stressed that the blank wall condition of the north elevation has received a design treatment that provides a visual relief.

- D-6** ***Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.*

Capitol Hill-specific supplemental guidance:

- *Consolidate and screen dumpsters to preserve and enhance the pedestrian environment.*

Broadway-specific supplemental guidance:

- *For new development along Broadway that extends to streets with residential character—such as Nagle Place or 10th or Harvard Avenues East—any vehicle access, loading or service activities should be screened and designed with features appropriate for a residential context.*

At the Early Design Guidance Meeting, the Board noted that they will want to see more information at the next meeting regarding the garbage and recycling service access and program.

At the Final Recommendation Meeting, the Board reviewed the garbage/recycling service access and program. No comments were required by the Board.

D-9 Commercial Signage. *Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.*

At the Early Design Guidance Meeting, the Board noted that the next meeting should include information responding to this guideline.

At the Final Recommendation Meeting, the Board noted that a condition should be included in the Master Use Permit to insure that signage shall be of a scale and character desired in the area.

D-10 Commercial Lighting. *Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.*

At the Early Design Guidance Meeting, the Board noted that the next meeting should include information responding to this guideline.

At the Final Recommendation Meeting, the Board noted that the lighting plan appear to promote an appropriate level of lighting, visual interest and a sense of security during evening hours.

D-11 Commercial Transparency. *Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.*

At the Early Design Guidance Meeting, the Board noted that the next meeting should include information responding to this guideline. The Board noted they expect to see full transparency for the length of the building.

At the Final Recommendation Meeting, the Board noted that the commercial storefronts are transparent, allowing for a visual connections between pedestrians on the sidewalk and the activities occurring on the interior of the building. Blank walls have been minimized.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. *Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.*

At the Early Design Guidance Meeting, the Board discussed the opportunities for landscape and hardscape features and programming of the wide sidewalk right-of-way, as well as the two second level terrace areas. At the next meeting, the Board looks forward to reviewing a well-designed landscape plan for all three of the unique spaces.

At the Final Recommendation Meeting, the Board discussed the landscaping and hardscape features and programming; at the sidewalk level, second and upper terrace areas. The designs are appropriately incorporated into the design and enhance the project.

Summary — at the conclusion of the Recommendation meeting, the Board recommended that:

1. Sidewalk/storefront — the existing sidewalk width to continue (Board cannot affect); posts @ canopy to be kept out of main walking surface (aligned with planters).
2. Porchlight — OK to be preserved as ‘Character Structure’.
3. A Flat or Curved Storefront will work for the design.
4. Blank Walls — A number of comments from public; developer has right to build to property line and this project is sensitive; not a huge portion of the structure and materials are consistent.
5. Garage Entry — 10’ brick to go into garage opening and door to match other building appendages (balconies, lighting, metal canopies) and windows.
6. Material and Details — Metal (low reflective); cornice, should extend in on south part at entry and on north wall depth should be reflected on brick portion even if it cannot extend out as it does on the eastern face.
7. Planting — Trees OK in the ROW and terrace Character Structure Bonus- OK, allows 10’ height bonus thru preserving façade, maintaining 3-D aspect (reclaimed brick to wrap at northern wall of Character Structure), maintaining ceiling height, accommodating/ encouraging similar existing uses, north portion (new) has high retail with mezzanines are exceptional.
8. Departure Sight Triangle — OK, work with DPD staff to ensure proper warning system

At the Recommendation meeting two departures were required:

1. A sight triangle departure was requested from the development standards.
2. A structural building overhang (residential balconies) for the street facing façade.

The board voted unanimously in support the requested departure.

DECISION – DESIGN REVIEW

After considering the proposed design and design solutions presented in relation to previously prioritized design guidelines and after having heard public comments on the project's design, the three Design Review Board members present unanimously **recommended approval** of the subject design **with conditions noted below** and unanimously **recommended approval** of the two requested design departures.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the guideline's and do not conflict with regulatory requirements.

Therefore, the proposed design is **APPROVED** as presented at the Design Review Board recommendation meeting.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS – SEPA

This analysis relies on the *Environmental (SEPA) Checklist* for the proposed development submitted by the applicant which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*" subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the

environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

- During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust and truck loads and routes will be monitored to minimize dust-related impacts.
- Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.
- Using electrically operated small tools in place of gas powered small tools wherever feasible.
- Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.

These and other construction and noise management techniques shall be included in the Construction Impact/ Noise Impact Management Plan to be submitted for approval prior to issuance of construction permits.

Noise

The project is expected to generate loud noise during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or

more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD. Construction noise is within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts. Any need to address specific additional noise restrictions because of particularly sensitive sites nearby will be addressed in the Construction Impact/Noise Impact Management Plan to be approved by DPD and SDOT prior to issuance of any construction permits.

Traffic and Transportation

The applicant submitted a Transportation Impact Analysis (TIA) prepared by Transportation Engineering NorthWest in February 2012. This report described the existing transportation system in the vicinity of the project, estimated the total amount and distribution of new traffic to be generated by the project, and provided a transportation concurrency evaluation. Based on this report, the project is forecast to generate an additional 473 new daily vehicle trips, with 36 new trips occurring in the AM peak hour and 45 in the PM peak hour. The study did not reduce vehicle trip estimates associated with the commercial space to reflect high level of non-automobile use in Capitol Hill; therefore, these trip forecasts are likely somewhat high. The traffic is expected to disperse on the adjacent roadway network, with no nearby intersection expected to accommodate a substantial increase in trip volumes. Therefore, no noticeable adverse transportation impacts are anticipated, and no mitigation is warranted.

Traffic and Circulation

Site preparation would involve removal of the existing on-site buildings and asphalt pavement and excavation for the foundation of the proposed building and below grade parking garage. Approximately 10,600 cubic yards of material would be excavated and removed from the site.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the removal of the existing building and excavation for the foundation of the proposed building will be of short duration and mitigated in part by enforcement of SMC 11.62. This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use double loaded trucks to export/import grade/file material, with each truck holding approximately 20 cubic yards of material, thus requiring approximately 530 truckloads (1,600 trips) to remove the excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts

Noise

Noises consistent with an urban residential building in the Downtown Urban Center may be generated as a result of this project. Noise generation as a result of the project is not expected to be significant and therefore no mitigation is required or warranted.

Height, Bulk, and Scale

The design guidelines are intended to mitigate height, bulk and scale impacts under SEPA. A project that is approved pursuant to the design review process is presumed to comply with the City’s SEPA policies regarding height, bulk, and scale. Through the design and environmental review process, DPD has found no evidence that height, bulk or scale was not adequately addressed through the design review process and compliance with the design guidelines. As such, no additional mitigation regarding height, bulk and scale is warranted or required.

Public Views

SEPA public view protection policy is stated at SMC 25.05.675.P. In order to protect views of Seattle’s natural and built surroundings, the City has developed particular sites and corridors for public enjoyment of views. No public views of the downtown skyline exist from the project site due to the existing buildings and due to the existing built environment surrounding the site. Therefore, no impacts to public views exist and no mitigation is required or proposed.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

The proposed action is **APPROVED WITH CONDITIONS.**

CONDITIONS – SEPA

Prior to issuance of any Demolition, Shoring, Grading or Construction Permits

1. The applicant shall submit for review and approval a Construction Impact/Noise Impact Management Plan, as referenced in the decision above, to the Department of Planning and Development. The plan shall identify management of construction activities, dust abatement, and noise, including construction hours, worker parking, traffic issues and anticipated street, alley and sidewalk closures.

During Demolition, Excavation, and Construction

2. For the duration of the removal of the existing building, excavation of materials, and delivery of construction materials; the owner(s) and/or responsible party(ies) shall cause truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.
3. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of Building Permit

4. Work with the Land Use Planner to illustrate a sight-triangle design that insures vehicle/pedestrian safety will be in place for the building.
5. Secure a structural building overhang permit for the construction of the street facing residential balconies.

During Construction

6. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner assigned to the project.
7. Compliance with all images and text on the MUP drawings, as modified by this decision and approved by the Land Use Planner, shall be verified by the Land Use Planner assigned to this project. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that substantial compliance has been achieved.

Signature: (signature on file) Date: August 30, 2012
Colin Vasquez, Senior Land Use Planner
Department of Planning and Development